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<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/728,833	SCHUSTER ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Jamal A Fox	2664	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 8/3/2004.
2. ☒ The allowed claim(s) is/are 1-20.
3. ☒ The drawings filed on 25 June 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All   b) ☐ Some\*   c) ☐ None   of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

**Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

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|---|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)                                    |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date <u>10/07/2004</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment  |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance                           |
|   | 9. <input type="checkbox"/> Other _____.   |

***Allowable Subject Matter***

1. Claims 1-20 are allowed.
2. The following is an examiner's statement of reasons for allowance: Regarding claims 1-20, the prior art of record fails to teach of a system for configuring a telephone for service comprising the telephone configuration server providing the service provider proxy address to one of the data network telephones in response to receiving a telephone part number from the data network telephone. The closest reference, Schuster et al. (U.S. Patent No. 6,577,622), teaches of a data network, a data network telephone, a telephone configuration server and a telephone part number, but fails to teach of the telephone configuration server providing the service provider proxy address to one of the data network telephones in response to receiving a telephone part number from the data network telephone.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

**EXAMINER'S AMENDMENT**

3. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Brian R. Harris on 10/07/2004.

The application has been amended as follows:

Replace claims 7, 11, 14 and 19 with the following:

7. A telephone for communicating voice signals on a data network telephony system, the telephone comprising:

a network interface to sense a network connection;

a signaling stack operable to perform call initiation functions;

a media engine operable to perform data communications functions, the media engine comprising a voice function operable to communicate digitized voice signals on data packets;

a telephone configuration identifier operable to establish a connection to a telephone configuration server comprising at least one service provider configuration; and

a telephone part number comprising any combination of alphanumeric characters associated with a selected one of the at least one service provider configurations in the telephone configuration server, wherein the selected one of the at least one service provider configurations includes a service provider proxy address associated with a service provider server operable to configure a data network telephone, the data network telephone being operable to provide the telephone part number to the telephone configuration server and, in response to providing the

telephone part number, to receive the selected one of the at least one service provider configurations during the connection with the telephone configuration server.

11. A telephone configuration server comprising:

a phone configuration database comprising a plurality of data network telephone part numbers; and

at least one service provider configuration comprising features in accordance with a telephone service provider, wherein the at least one service provider configuration includes a service provider proxy address associated with a service provider server, the telephone configuration server operable to communicate the service provider configuration to a data network telephone associated with a corresponding one of the plurality of telephone part numbers in response to receiving the corresponding one of the plurality of telephone part numbers from the data network telephone.

14. A method of configuring a data network telephone to perform telephone service function in accordance with a telephone service provider, the method comprising the steps of:

connecting to a telephone configuration server;

sending a telephone part number associated with the data network telephone to the telephone configuration server;

receiving a service provider configuration corresponding to the telephone part number, wherein the service provider configuration includes a service provider proxy address associated with a service provider server operable to configure the data

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network telephone; and configuring the data network telephone in accordance with the service provider configuration.

19. A method of providing service provider selected configurations of a data network telephone from a central server, the method comprising the steps of:

receiving a telephone part number corresponding to the data network telephone;

receiving a service provider configuration corresponding to the telephone part number from a telephone configuration database, wherein the service provider configuration includes a service provider proxy address associated with a service provider server operable to configure the data network telephone; and sending the service provider configuration to the data network telephone.

### ***Conclusion***

4. **Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

**or faxed to:**

(703) 305-3988, (for formal communications intended for entry)

**Or:**

(703) 305-3988 (for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA. 22202, Sixth Floor (Receptionist).

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jamal A. Fox whose telephone number is (571) 272-3143. The examiner can normally be reached on Monday-Friday 6:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wellington Chin can be reached on (571) 272-3134. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9306 for regular communications and (703) 872-9315 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-0377.



**Jamal A. Fox**

